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APPLICATION NO. FIRST NAMED INVENTOR FILING DATE ATTORNEY DOCKET NO. CONFIRMATION NO. 10/053,313 01/18/2002 Alex Battaglia JAL1100 3640 7590 10/18/2004 EXAMINER Lisa A. Haile, Esq. CRIARES, THEODORE J GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive Suite 1100 ART UNIT PAPER NUMBER San Diego, CA 92121 1617

DATE MAILED: 10/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Response to Rule 312 Communication	10/053,313	BATTAGLIA, ALEX	
	Examiner	Art Unit	
	Theodore J. Criares	1617	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address –			
 1. \overline{\text{The amendment filed on } \frac{17 \text{ September 2004}}{2004} \text{ under 37 CFR 1.312 has been considered, and has been: a) \overline{\text{September 2004}}{2004} \text{ entered.} 			
b) entered as directed to matters of form no	t affecting the scope of the invention.		
c) disapproved because the amendment water the day and the required fee to withdraw the a	e issue fee is paid must be accompanie	e. d by a petition under 37 CFR 1.313(c)(1)
d) disapproved. See explanation below.			
e) entered in part. See explanation below.			
		Manuella	
		Treedore J. Criares Primary Examiner Art Unit: 1617	